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c 374 Steam Boilers Act

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CHAPTER 374

The Steam Boilers Act

1. In this Act and in the regulations,

Interpreta-
tion.

- (a) "inspector" means an inspector appointed by the Lieutenant-Governor in Council under this Act;
- (b) "Minister" means Minister of Labour;
- (c) "regulations" means regulations made under this Act;
- (d) "steam boiler" means any vessel or structure in which steam is generated for power or heating purposes, and any vessel or other appliance in which steam, gas, air or liquid is contained under pressure, and includes all pipes, apparatus and machinery attached to, or connected with a steam boiler, but not a portable boiler rated at 25 horse power or under, used exclusively for horticultural or agricultural purposes. R.S.O. 1937, c. 343, s. 1.

2. Upon the recommendation of the Minister, the Lieu- Regulations.
tenant-Governor in Council may make regulations,

- (a) respecting the construction, repair, sale or exchange of steam boilers, and the approval of designs and installation of high pressure steam piping and fittings;
- (b) prescribing specifications for the construction of steam boilers, including the material to be used, the method and order of construction, the tests to be applied during and after construction;
- (c) for the inspection of every steam boiler during its construction and before it is removed from the place of construction, and for the inspection of used boilers when repaired, sold or exchanged;
- (d) for fixing the fees for examination of drawings and specifications, and for making inspections and collecting the travelling expenses incurred by inspectors for such inspections;
- (e) generally respecting such other matters as may be deemed proper to secure a uniform standard of

strength, safety and efficiency in the construction of steam boilers. R.S.O. 1937, c. 343, s. 2.

Appoint-
ment of
inspectors.

3.—(1) The Lieutenant-Governor in Council may appoint inspectors of steam boilers for the purposes of this Act and for the enforcement of the regulations, and may designate one of them to be chief boiler inspector.

Employ-
ment of
boiler
inspection
company.

(2) The Minister may employ any boiler insurance company registered in the Department of Insurance, or any inspection company engaged in the inspection of steam boilers, to make any inspection of steam boilers during their construction required by the regulations, and the company making such inspection shall report upon the same within fourteen days thereafter to the chief boiler inspector. R.S.O. 1937, c. 343, s. 4.

Inspectors
not to be
agents for
boilers or
machinery.

4. No person shall be appointed or hold office as an inspector who is directly or indirectly interested in the manufacture or sale of steam boilers or steam machinery. R.S.O. 1937, c. 343, s. 5.

Oath of
office.

5. Every inspector shall, before entering upon the performance of his duties, take and subscribe an oath that he will faithfully and impartially perform the duties of his office. R.S.O. 1937, c. 343, s. 6.

Power
to enter
premises.

6. For the purpose of seeing that this Act and the regulations are complied with, an inspector may at any reasonable hour enter upon any land or into any building where any steam boiler is under construction, alteration or repair. R.S.O. 1937, c. 343, s. 7.

Obstructing
inspectors.

7. Every person who interferes with or obstructs any inspector in the performance of his duties under this Act shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$50. R.S.O. 1937, c. 343, ss. 8, 14.

Inspectors
may
summon
witnesses.

8.—(1) An inspector may by notice in writing require the attendance before him, at a time and place named in the notice, of any person, and may examine him either alone or in the presence of another person as he may think fit as to any matter connected with the construction, alteration or repair of a steam boiler or its removal from any place in which it has been constructed, altered or repaired.

Oath.

(2) For the purposes of subsection 1, the inspector may administer an oath to any person to be examined by him.

(3) Every person who wilfully neglects or refuses to attend before the inspector after receiving notice so to do, or refuses to be sworn or to give evidence before the inspector, or to answer any question put to him by the inspector touching the matters mentioned in subsection 1, shall be guilty of an offence and on summary conviction shall be liable to a penalty of \$25. R.S.O. 1937, c. 343, ss. 9, 14.

Penalty for neglect to attend.

9.—(1) Upon completion of his inspection, the inspector shall issue to the owner or manufacturer of the boiler an inspection certificate, and the owner or manufacturer shall pay the inspector such fee as may be prescribed by the regulations for the inspection and the issue of the certificate. R.S.O. 1937, c. 343, s. 10 (1); 1938, c. 38, s. 3.

Inspection certificate.

(2) Every owner or manufacturer who neglects or refuses to pay the inspector such fee shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$20. R.S.O. 1937, c. 343, ss. 10 (2), 14.

Penalty for refusal to pay fee.

10.—(1) Every owner or manufacturer who knowingly contravenes any of the provisions of this Act or the regulations in such a manner as to endanger the safety of any person or who refuses or neglects to comply with any order, direction or recommendation lawfully given or made under this Act or the regulations dealing with the safe manufacture, installation or repair of steam boilers shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$50 and not more than \$300.

Penalty for contravention, endangering safety.

(2) Every person who contravenes any of the provisions of this Act or the regulations shall be guilty of an offence and on summary conviction where no other penalty is provided shall be liable to a penalty of not less than \$10 and not more than \$50. R.S.O. 1937, c. 343, ss. 11, 14.

Penalty, when not otherwise provided.

11.—(1) Any person who is dissatisfied with the action of an inspector or with a certificate of inspection issued by an inspector may within one week after the inspection appeal to the Minister, who may thereupon cause another inspection to be made by one or more competent inspectors, who shall report to him, and the decision of the Minister shall be final.

Appeal to the Minister.

(2) Any expenses occasioned by the appeal and second inspection shall be paid as determined by this Minister. R.S.O. 1937, c. 343, s. 12.

Expenses.

12. All fees paid and all penalties recovered under this Act or the regulations shall be paid to the Treasurer of Ontario. R.S.O. 1937, c. 343, s. 13.

Application of fees and penalties.

